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Security Council

Sixty-sixth year

Provisional

6505th meeting

Thursday, 24 March 2011, 3 p.m.

New York

President:	Mr. Li Baodong	(China)
Members:	Bosnia and Herzegovina	Mr. Barbalić
	Brazil	Mrs. Viotti
	Colombia	Mr. Osorio
	France	Mr. Araud
	Gabon	Mr. Moungara Moussotsi
	Germany	Mr. Wittig
	India	Mr. Hardeep Singh Puri
	Lebanon	Mr. Salam
	Nigeria	Mr. Amieyeofori
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Churkin
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Mrs. DiCarlo

Agenda

The situation in Libya

Briefing by the Secretary-General pursuant to paragraph 12 of Security Council resolution 1973 (2011)

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The meeting was called to order at 3.10 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Libya

Briefing by the Secretary-General pursuant to paragraph 12 of Security Council resolution 1973 (2011)

The President (*spoke in Chinese*): The Security Council will now begin its consideration of the item on its agenda.

At this meeting, the Security Council will hear a briefing by the Secretary-General, His Excellency Mr. Ban Ki-moon, pursuant to paragraph 12 of Security Council resolution 1973 (2011).

I now give the floor to the Secretary-General.

The Secretary-General: I appreciate this opportunity to brief the Security Council on the situation in Libya and to discuss events following in the wake of the Council's adoption of resolution 1973 (2011).

At the Paris summit convened on 19 March by President Sarkozy, the international community called for an immediate ceasefire and agreed to undertake the necessary measures, pursuant to resolution 1973 (2011), to stop the brutal campaign of violence by the Libyan regime against its own people.

Resolution 1973 (2011) also reaffirmed Libya's sovereignty and territorial integrity and explicitly foreclosed any foreign occupation of Libyan territory.

Those issues dominated discussions during my recent travels. Authorities in Egypt and Tunisia were deeply concerned about their nationals who were still in Libya and about the heavy burden of caring for refugees at their borders, as well as about the daunting task of reintegrating nationals who had left the country.

In all of my meetings, public and private alike, I took special care to stress that action under resolution 1973 (2011) was governed by an overriding objective, namely, to save the lives of innocent civilians.

The international community has acted together to avert a potentially large-scale crisis. I expect the international community to continue to exercise full diligence in avoiding civilian casualties and collateral damage.

Finally, I emphasized how important it is for the international community to speak with one voice both in implementing resolution 1973 (2011) and in dealing with the humanitarian situation. Tunisia and Egypt, because they have borne the brunt of the refugee crisis, deserve high praise.

Let me now update members on the implementation of resolutions 1970 (2011) and 1973 (2011). As members are aware, military strikes were initiated on 19 March by United States and European forces with the objective of effectively establishing a no-fly zone over the country. That campaign is ongoing. Libyan authorities have repeatedly claimed that they have instituted a ceasefire, including in a call to me by the Prime Minister of Libya on 19 March. We see no evidence that that is the case. To the contrary, fierce battles continue in or around the cities of Ajdabiya, Misratah and Zitan, among others. In short, there is no evidence that Libyan authorities have taken steps to carry out their obligations under resolutions 1970 (2011) or 1973 (2011).

From the beginning, the United Nations has engaged in strong diplomatic efforts. I have kept in close touch with all parties, including Libyan authorities. I have called repeatedly for an immediate end to the violence and for unrestricted humanitarian access. In this context, let me note that humanitarian aid is exempt from the sanctions regime.

On 13 March, my Special Envoy to Libya, Mr. Abdel-Elah Al-Khatib, visited Tripoli accompanied by the United Nations Humanitarian Coordinator. They and their teams undertook broad consultations with the Libyan Foreign Minister and other senior officials. My Envoy set forth the international community's position clearly and unequivocally. Attacks on civilians must stop; those responsible for crimes against their people will be held accountable; safe humanitarian access must be guaranteed; and resolutions 1970 (2011) and 1973 (2011) must be implemented in full.

The Special Envoy emphasized that it was in Libya's best interest to cease hostilities and change the dynamics of the crisis. If Libya did not act to comply with resolution 1973 (20110, the Envoy stated, the Security Council may be prepared to take additional measures. The Libyan Foreign Minister responded by claiming that the Government had been forced to act as

it has by perceived threats from Al-Qaida and Islamist terrorists. He also told the Special Envoy that Libyan authorities had offered an amnesty to rebels who laid down their arms. Further, he stressed that mechanisms should be put in place so that rebel forces are also required to abide by any ceasefire.

On 21 March, my Special Envoy met with leaders of the Libyan armed opposition, including the Chairman of the Libyan Transitional National Council, in Tobruk. They reiterated their call for a ceasefire and for the lifting of the siege imposed by Libyan Government forces on some cities in rebel hands. They also expressed deep concern about the hardships inflicted on the Libyan people and demanded an end to the use of tanks and heavy weaponry targeting civilians. They further requested that we quickly dispatch a humanitarian assessment mission to all parts of the country.

Yesterday, I held an informal meeting with the African Union Chairman, Mr. Jean Ping, and discussed at length how the United Nations and the African Union can work together to resolve the Libyan situation. Tomorrow, my Special Envoy will travel to Addis Ababa for a meeting convened by the African Union. Representatives of both the Libyan Government and the opposition will attend, as will representatives of relevant Member States and regional organizations. Their aim is to reach a ceasefire and political solution.

Resolution 1973 (2011) demands that the Libyan authorities comply with their obligations under international law. The United Nations Humanitarian Coordinator and his team have had only limited access. We continue to have serious concerns, however, about the protection of civilians, abuses of human rights, violations of international humanitarian law, and the access of civilian populations to basic commodities and services in areas currently under siege.

More than 335,658 people have fled Libya since the beginning of the crisis. Some 9,000 remain stranded along Libya's borders with Tunisia and Egypt. As of 21 March, the International Organization for Migration and the Office of the United Nations High Commissioner for Refugees have provided evacuation assistance for more than 60,000 people leaving Libya. The regional flash appeal for the Libyan crisis, which requested $160.3 million, is 63 per cent funded. There are also contingency plans to deal with possible new waves of migrants and refugees totalling as many as 200,000 to 250,000 people.

Meanwhile, the World Food Programme has received reports that food prices in Libya are rising sharply, with the price of flour, for example, doubling in recent weeks. The United Nations and the Libyan authorities continue to be far apart in their respective analyses of the scope and scale of the humanitarian situation. No agreement has been reached on how an inter-agency needs-assessment mission would be carried out. I would like to remind all parties currently engaged in hostilities in Libya of their obligations under international humanitarian law to allow and facilitate the safe, rapid and unimpeded access of humanitarian organizations to populations in need.

My Special Envoy's mission was too brief to reach definitive conclusions about the human rights situation, but he found many worrying signs, including threats and incitement against the armed opposition. Colonel Al-Qadhafi's threats were aired repeatedly on national television. Journalists continue to be arrested. Foreign reporters in Tripoli told the United Nations mission about the population's general state of fear, tight control by the security services, and instances of arrest and disappearances.

In light of these findings, the Special Envoy informed the Government of Libya of the intention of the Human Rights Council to create an independent international commission of inquiry that will investigate all alleged violations of international human rights law in Libya, identify those responsible, make recommendations and report to the Human Rights Council. The Special Envoy formally requested the cooperation of the Government of Libya with the commission of inquiry, and this request was met with a positive response, although specific actions were not discussed.

Resolution 1973 (2011) requests Member States to notify my office immediately of the measures they take or intend to take to protect civilians, enforce the no-fly zone, and facilitate humanitarian operations and evacuation flights. The resolution requires that I report to the Council within seven days and every month thereafter on the implementation of the resolution, including any information on violations of the flight ban. Today, I am submitting my first report.

So far, the United Kingdom, France, the United States, Denmark, Canada, Italy, Qatar, Belgium,

Norway, Spain and the United Arab Emirates have sent letters of notification, circulated to all Council members, in line with the provisions of resolution 1973 (2011). We have also received notification from NATO of its decision to commence an alliance operation in support of an arms embargo against Libya pursuant to resolutions 1970 (2011) and 1973 (2011).

I look forward to being kept informed as further implementing steps are taken by Council Governments, including the mechanism envisaged in paragraph 8 of the resolution. I shall also designate a focal point for coordination within the Secretariat. Similarly, we look forward to receiving a concept of operations from Member States, as envisaged in paragraph 11 of the resolution.

Resolution 1973 (2011) further requests that I set up a panel of experts to assist the Libya Committee in monitoring the implementation of the sanctions. The Secretariat is reviewing its roster of sanctions experts to identify suitable candidates. Some have already been contacted. It is expected that those appointed to the panel will posses expertise in the areas of arms, finance, transportation — both aviation and maritime — and customs and border control.

Given the critical situation on the ground, it is imperative that we continue to act with speed and decision. The resolution places great responsibilities on the United Nations system. I assure the Council that we will work closely with Member States and regional organizations to coordinate a common, effective and timely response.

The President (*spoke in Chinese*): I thank Secretary-General Ban Ki-moon for his briefing.

I now invite Council members to informal consultations to continue our discussion of the subject.

The meeting rose at 3.25 p.m.